



**CITY COUNCIL
MEETING MINUTES**

MARCH 2, 2009 7:30 PM

I. CALL TO ORDER

A. Flag Salute

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

Mayor Lewis and the following Councilmembers were present: Rich Wagner, Sue Singer, Gene Cerino, Nancy Backus, Bill Peloza, Lynn Norman, and Virginia Haugen.

Staff members present included: Chief of Police Jim Kelly; Information Services Director Lorrie Rempher; City Attorney Daniel B. Heid; Finance Director Shelley Coleman; Human Resources/Risk and Property Management Director Brenda Heineman; Parks, Arts and Recreation Director Daryl Faber; Planning, Building and Community Director Cindy Baker; Public Works Director Dennis Dowdy; Cultural Arts Manager Laurie Rose, and City Clerk Danielle Daskam.

Deputy Mayor Singer announced that Dick Deal, former Parks and Recreation Director, is in the audience this evening.

C. Announcements and Appointments

1. Announcements

a) Proclamation – “*Emeritus Members of the City of Auburn Arts Commission*”

Mayor Lewis to declare Herman Ansingh, Barbara Sharrard and, posthumously, Gertrude Sprenger, as Art Commissioners emeritus

Mayor Lewis acknowledged several current and former members of the Arts Commission in attendance this evening in celebration of the twenty-fifth anniversary of the Auburn Arts Commission: Linda and Jim Sprenger, Steve Sprenger, Leslie Moore, Pam Smith, Pat Judd, Linda Elliott, Bonnie Egbert, Amanda Flannery, Nancy Colson, Debby Deal, Cary Davidson, Barbara Sharrard and Herman Ansingh. Mayor Lewis noted several accomplishments of the Arts Commission, including the Bravo! series, public art collections, and Arts in the Parks program.

Councilmember Norman congratulated the Arts Commission on its twenty-fifth anniversary. Councilmember Norman served on the Arts Commission for several years. She commended members of the Arts Commission for their commitment and staff members for their efforts on a successful arts program.

Deputy Mayor Singer served on the steering committee that created the Arts Commission. She congratulated the Arts Commission on their accomplishments.

Councilmember Wagner is the current Council liaison on the Arts Commission. He expressed pride in their accomplishments and congratulated the Arts Commission on their successes.

At this time, the Council and audience viewed a video celebrating the Auburn Arts Commission's twenty-fifth anniversary.

At the conclusion of the video, Mayor Lewis read and presented a proclamation declaring Dr. Herman Ansingh, Barbara Sharrard, and posthumously Gertrude Sprenger as Art Commissioners emeritus. The three Arts Commission members were instrumental in establishing the Arts Commission and are known for their many years of dedicated services to the Arts Commission and arts in the community. Dr. Ansingh, Ms. Sharrard and the son of Gertrude

Sprenger received the proclamation and thanked Mayor Lewis for the honor.

2. Appointments

a) Urban Tree Board

City Council confirm the appointment of Bryce Landrud to the Urban Tree Board for a three-year term expiring December 31, 2011.

Deputy Mayor Singer moved and Councilmember Wagner seconded to confirm the appointment of Bryce Landrud to the Urban Tree Board.

MOTION CARRIED UNANIMOUSLY. 7-0.

D. Agenda Modifications

There was no change to the agenda.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

No public hearing was scheduled for this evening.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Roberta Robson, 33620 55th Avenue South, Auburn

Ms. Robson spoke regarding the Jovita Heights development and sewer and road access for her four properties located adjacent to and in the vicinity of the Jovita Heights development. She stated that the Jovita Heights developer has filled the seasonal creek bed behind her house with ten feet of fill leaving her properties as swamp land. If the conditions persist, she will not be able to build on her properties. Ms. Robson also reported that the developer cut down trees on her property and damaged others. Ms. Robson submitted records that provide a chronology of contacts with the City and others regarding sewer and road access.

Public Works Director Dowdy stated that the Robson properties are outside the city limits and just outside the City's sewer service area boundary on the West Hill. The City entered into an agreement

several years ago with Lakehaven Utility District that the City would not provide sewer service to the area of the Robson properties and properties further west.

Jeff Robson, 33602 55th Avenue South, Auburn
Mr. Robson (son of Roberta Robson) reiterated the concerns expressed by Ms. Robson above. Mr. Robson expressed concern with the slopes created by the Jovita Heights development and drainage issues.

Jim Robson, 33620 55th Avenue South, Auburn
Mr. Robson (husband of Roberta Robson) reiterated the concerns expressed by Ms. Robson and Jeff Robson above. He also expressed concern regarding erosion of the slopes.

Amy Kiilsholm, 33602 55th Avenue South, Auburn
Ms. Kiilsholm reiterated the concerns expressed by the Robsons above.

Mayor Lewis directed that staff schedule a meeting with the Robsons to discuss the matter further.

Keith Arnold, 404 22nd Street SE, #A, Auburn
Mr. Arnold spoke regarding a parking ticket he received for parking in excess of seventy-two hours. Mr. Keith reported that he has parked in excess of seventy-two hours in front of his house in the past and has not received a parking ticket. He requested that the Council review the parking limits in the area.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A3.7.6

A. Municipal Services

Chair Cerino reported the Municipal Services Committee met February 23, 2009 at 4:00 p.m. The Committee reviewed Resolution Nos. 4456 and 4457 relating to utility easements. The Committee also discussed Resolution Nos. 4451 and 4452 relating to concessionaire agreements and received a report from Chief of Police regarding the license plate reader which can read license plates of passing cars and check the license plate numbers against a database of stolen vehicles. The next regular meeting of the

Municipal Services Committee is scheduled for March 9, 2009 at 4:00 p.m.

B. Planning & Community Development

Chair Norman reported the Planning and Community Development Committee met February 23, 2009. The Committee reviewed Resolution Nos. 4451 and 4452 relating to concessionaire agreements, Resolution No. 4456 authorizing a storm drainage easement for Pierce County, and Resolution No. 4457 granting an easement to Puget Sound Energy. Resolution Nos. 4456 and 4457 are related to the construction of the Valley Regional Fire Authority Station 33. The Committee discussed the healthcare district overlay, the Auburn environmental district/green zone, progress on the birding tower project, the shoreline designation map, the federal stimulus package, and the sign code. Chair Norman noted that the Planning and Community Development Committee has been meeting in special sessions for the purpose of reviewing the development code update project. The next special meeting of the Committee for the purpose of reviewing the code update project is scheduled for March 5, 2009 at 6:00 p.m. The next regular meeting of the Planning and Community Development Committee is scheduled for March 9, 2009 at 5:00 p.m.

C. Public Works

Chair Wagner reported the Public Works Committee met this afternoon at 3:00. The Committee approved a number of consent items including service agreements with Trafficount, Inc. and Traffic Count Consultants, final pay estimate for Project No. CP0635, the Gateway Sign at M Street SE and final pay estimate for Project No. CP0732, the 2007 Citywide Manhole and Ring Replacement. The Committee also discussed Ordinance No. 6226 amending the 2009-2010 Biennial Budget, Ordinance No. 6217 relating to an excise tax on loading dock doors, the year-end report on the Save Our Streets (SOS) program, the National Pollution Discharge Elimination System (NPDES) stormwater management program, capital plans for utilities, the storm drainage comprehensive plan, the water comprehensive plan, and the sewer comprehensive plan. Chair Wagner referred to a publication from the Association of Washington Cities, titled City Streets Are More Than Pavement, that outlines typical city infrastructure costs associated with street construction, including storm drainage, sidewalks, landscaping, illumination and signals, sewer, water, and the street construction

itself. The next regular meeting of the Public Works Committee is scheduled for March 16, 2009 at 3:00 p.m.

D. Finance

Chair Backus reported the Finance Committee met this evening at 6:30. The Committee approved claims and payroll vouchers, and discussed Ordinance No. 6226 amending the 2009-2010 Biennial Budget and Ordinance No. 6217 relating to an excise tax on loading dock doors. The next regular meeting of the Finance Committee is scheduled for March 16, 2009 at 6:30 p.m.

E. Community Center

Chair Wagner reported the Community Center Committee has not met since the last Council meeting. The next meeting of the Community Center Committee is scheduled for March 25, 2009 at 9:00 a.m.

F. Downtown Redevelopment

Chair Norman reported that the next meeting of the Downtown Redevelopment Committee is scheduled for March 3, 2009 at 4:00 p.m.

IV. REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.

A. From the Council

Deputy Mayor Singer reported that the Puget Sound Regional Council held its monthly executive board meeting for the purpose of discussing the criteria for the allocation of approximately \$79 Million for transportation stimulus package projects. Deputy Mayor Singer also participated in the monthly senior center coffee hour and a Tourism Board meeting.

Councilmember Wagner reported on his attendance at the Pierce County Regional Council meeting on February 19th.

Councilmember Norman reported on her work with staff and community members on the boundless playground; a boundless playground provides access to children with special needs and is accessible for all children. Councilmember Norman shared her granddaughter's experience at the Auburn Parks and Recreation

Department's Daddy/Daughter Dance and congratulated staff on a successful event.

Councilmember Cerino reported on his attendance at the Association of Washington Cities (AWC) sponsored legislative conference in Olympia. Councilmember Cerino also reported on his and Councilmember Wagner's attendance at the Pierce County Regional Council General Assembly meeting.

Councilmember Pelosa reported on his participation in a site visit to the Mary Olson Farm with museum staff and representatives of the Water Resource Inventory Area (WRIA) 9 and Washington State Department of Ecology regarding a WRIA 9 grant opportunity for further Olson Creek restoration work. Councilmember Pelosa also participated in a WRIA 9 levee setback restoration project on the Fenster levee located in southeast Auburn. Councilmember Pelosa attended the King County Water Pollution Abatement Advisory Committee meeting where members discussed the reclaimed water comprehensive plan, 2009 capital projects funding, and 2010 sewer capacity charges and billing policies. Councilmember Pelosa announced the Auburn International Farmers Market will open in 104 days.

B. From the Mayor

Mayor Lewis read a Certificate of Appreciation presented to the City of Auburn Public Works Department in recognition of outstanding support to the Washington National Guard during the state emergencies of December 2008 and January 2009.

Mayor Lewis commented on the federal stimulus package. He reported the City's grant writing group is reviewing City projects that can be submitted for grants from federal agencies that have received a portion of the stimulus funds. Mayor Lewis reported on the City's efforts regarding the Local Infrastructure Financing District legislation which allows a city to keep two tenths of a percent of the state's portion of the sales tax.

Additionally, Mayor Lewis commented on the State's decision to close the Department of Licensing agency in Auburn. Residents who have utilized the Auburn drivers licensing site will have to travel to either Federal Way or Puyallup or accomplish their needs online. Mayor Lewis encouraged residents to contact their legislators to voice their concerns.

V. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes

- 1. Minutes of the February 17, 2009 regular City Council meeting.**

B. Vouchers

F4.9.2, F4.9.5

- 1. Claims**

Claims check numbers 383069 through 383462 in the amount of \$2,755,506.75 and dated March 2, 2009.

- 2. Payroll**

Payroll check numbers 525782 to 525881 in the amount of \$369,525.44 and electronic deposit transmissions in the amount of \$1,216,064.74 for a grand total of \$1,585,590.18 for the pay period covering February 12, 2009 to February 25, 2009.

C. Contract Administration

- 1. Consultant Agreement Number AG-C-365**

A3.16.9, O4.8.1 C524A

City Council grant permission to enter into Consultant Agreement No. AG-C-365 with Day Wireless Systems for engineering services for Project No. C524A, SCADA System Improvements.

- 2. Service Agreement Number AG-S-027**

A3.16.9

City Council grant permission to enter into Service Agreement No. AG-S-027 with Trafficount, Inc. for the City's annual traffic count program.

- 3. Service Agreement Number AG-S-028**

A3.16.9, O4.11.1 CP0763

City Council grant permission to enter into Service Agreement No. AG-S-028 with S&B, Inc. for Services on Project No. CP0763, The Braunwood Well Improvement.

4. Service Agreement Number AG-S-029

A3.16.9

City Council grant permission to enter into Service Agreement No. AG-S-029 with Traffic Count Consultants, Inc. for the City's annual traffic count program.

5. Public Works Project Number CP0732

O4.6.3 CP0732

City Council approve Final Pay Estimate No. 5 to Contract No. 07-18 in the amount of \$12,720.00, for a total contract amount of \$175,445.88, with GMT Inc., and accept construction of Project No. CP0732, 2007 Citywide Manhole Ring & Cover Replacement.

6. Public Works Project Number CP0635

O3.3.15 CP0635

City Council approve Final Pay Estimate No. 3 to Contract No. 07-23 in the amount of \$13,079.04, for a total contract price of \$51,545.01, with T. Miller Construction, Inc. and accept construction of Project No. CP0635, Gateway Sign at M Street SE.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the Consent Agenda.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. NEW BUSINESS

There was no new business.

VIII. ORDINANCES AND RESOLUTIONS

A. Ordinances

There was no ordinance for Council consideration.

B. Resolutions

1. Resolution No. 4451

O5.1

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute

a Concessionaire Agreement between the City and The Little League of Auburn, Washington for the concession operations at the Brannan Park Ballfields and at the Sunset Park Ballfields for 2009

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4451.

MOTION CARRIED UNANIMOUSLY. 7-0.

2. Resolution No. 4452

5.1

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Concessionaire Agreement between the City and The Optimists Club of Auburn, Washington, for the west concession building operations at Game Farm Park Ballfields for 2009

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4452.

MOTION CARRIED UNANIMOUSLY. 7-0.

3. Resolution No. 4456

A3.13.2, O2.7

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Storm Drainage Easement for Pierce County

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4456.

MOTION CARRIED UNANIMOUSLY. 7-0.

4. Resolution No. 4457

A3.13.2, O2.7

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Utility Easement for Puget Sound Energy

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4457.

MOTION CARRIED UNANIMOUSLY. 7-0.

IX. EXECUTIVE SESSION

At 8:51 p.m., Mayor Lewis recessed the meeting for a five minute intermission and then to executive session for approximately twenty minutes for the purpose of discussing pending/potential litigation pursuant to RCW 42.30.110(1)(i). Staff members required for the Executive Session included City Attorney Daniel Heid, Public Works Director Dennis Dowdy, and Human Resources/Risk and Property Management Director Brenda Heineman. Mayor Lewis indicated that action may follow the executive session.

Mayor Lewis reconvened the meeting at 9:16 p.m.

X. TERM SHEET FOR AGREEMENT BETWEEN THE CITIES OF AUBURN, BONNEY LAKE, BUCKLEY AND SUMNER AND CASCADE WATER ALLIANCE

Councilmember Wagner moved and Councilmember Cerino seconded that the Mayor be authorized to sign, on Auburn's behalf, the Term Sheet for Agreement between the cities of Auburn, Bonney Lake, Buckley and Sumner and Cascade Water Alliance, calling for an Interlocal Agreement to be negotiated between the parties within three years, in substantial conformity with the document on file with the City Clerk, which would seek to resolve Lake Tapps water rights issues and ultimately dispose of the pending Cascade Water Alliance litigation.

MOTION CARRIED UNANIMOUSLY. 7-0.

XI. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:17 p.m.

APPROVED THE _____ DAY OF MARCH, 2009.

Peter B. Lewis, Mayor

Danielle Daskam, City Clerk

City Council agendas and minutes are available to the public at the City Clerk's Office, on the City website, and via e-mail. Complete agenda packets are available for review at the City Clerk's Office and at the Library.

Internet: <http://www.auburnwa.gov>